

CASE G-31694A/G

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Gabriel Lopez  
Type or print name

Signature

3/21/02  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1611

DAVIES ET AL.

APPLICATION NO: 10/024,934

FILED: DECEMBER 19, 2001

FOR: CRYSTAL MODIFICATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

REPLACEMENT DECLARATION AND POWER OF ATTORNEY

Sir:

The Declarations submitted on March 1, 2002 contained a typographical error. Attached are two Declarations to replace those submitted on March 1, 2002.

Attached also is an updated Application Data Sheet.

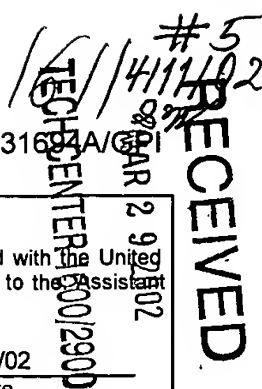
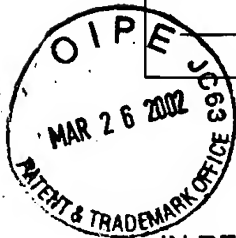
Respectfully submitted,

Novartis Corporation  
Patent and Trademark Dept.  
564 Morris Avenue  
Summit, NJ 07901-1027

Gabriel Lopez  
Attorney for Applicants  
Reg. No. 28,440  
(908) 522-6933

Date: March 21, 2001

Enc: 3





Case G-31694A/GPI

TECH CENTER 1600/2900

MAR 29 2002

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DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATIONS

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, and

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

**CRYSTAL MODIFICATION**

the specification of which was filed on December 19, 2001 as U.S. Application No. **10/024,934.**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge my duty to disclose all information which is known by me to be material to the patentability of this application as defined in 37 C.F.R. §1.56.

I hereby claim the benefit under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate listed below and under 35 U.S.C. §365(a) of any PCT international application(s) designating at least one country other than the United States listed below and have also listed below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States for the same subject matter and having a filing date before that of the application the priority of which is claimed for that subject matter:

None

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below:

Application No.

Filing Date

60/259,621

January 4, 2001

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and under 35 U.S.C. §365(c) of any PCT international application(s) designating the United States listed below and, insofar as the subject matter of each of the claims of this

application is not disclosed in said prior application(s) in the manner required by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose all information known by me to be material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date(s) of the prior application(s) and the national or PCT international filing date of this application:

None

I hereby appoint the attorneys and agents associated with Customer No. 001095, respectively and individually, as my attorneys and agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please address all communications to the address associated with Customer No. 001095, which is currently Thomas Hoxie, Novartis Corporation, Patent and Trademark Dept., 564 Morris Avenue, Summit, NJ 07901-1027.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**FIRST JOINT INVENTOR:**

Full name : **Julian Davies**

Signature : 

Date : 03/11/02  
(MM/DD/YY)

Citizenship : United States of America

Residence : Sylvania, Ohio

P.O. Address : 7654 Big Bend Court  
Sylvania, Ohio 43565

**SECOND JOINT INVENTOR:**

**Full name : James Edward Gano**

**Signature : \_\_\_\_\_**

**Date : \_\_\_\_\_**  
**(MM/DD/YY)**

**Citizenship : United States of America**

**Residence : Fort Collins, Colorado**

**P.O. Address : 4115 Braidwood Drive**  
**Fort Collins, CO 80524**

**IMPORTANT:** Before this declaration is signed, the patent application (the specification, the claims and this declaration) must be read and understood by each person signing it, and no changes may be made in the application after this declaration has been signed.



Case G-31694A

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MAR 29 2002

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**FIRST JOINT INVENTOR:**

Full name	:	<b>Julian Davies</b>
Signature	:	_____
Date	:	_____ (MM/DD/YY)
Citizenship	:	United States of America
Residence	:	Sylvania, Ohio
P.O. Address	:	7654 Big Bend Court Sylvania, Ohio 43565

SECOND JOINT INVENTOR:

Full name : James Edward Gano

Signature :

Date :

3/19/02  
(MM/DD/YY)

Citizenship : United States of America

Residence : Fort Collins, Colorado

P.O. Address : 4115 Braidwood Drive  
Fort Collins, CO 80524

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